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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF : CONFIRMATION NO. 5252  
GOETZ-PETER SCHINDLER, ET AL. : EXAMINER: SACKEY, E.O.  
SERIAL NO: 10/813,010 :  
FILED: MARCH 31, 2004 : GROUP ART UNIT: 1624  
FOR: PREPARATION OF AT LEAST ONE PARTIAL OXIDATION AND/OR  
AMMOXIDATION PRODUCT OF A HYDROCARBON

LETTER TO THE EXAMINER

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

A Notice of Allowance was mailed November 12, 2010, which indicated that the allowed claims are 1-7 and 13-23. However, claims 8-12 are also pending in this application.

An Appeal Brief and an Amendment under 37 CFR § 41.33 were filed on November 3, 2008. Claims 10-12 were amended in the Amendment, but page 4 of the Amendment, which includes claims 8-11 and part of claim 12, does not appear in the electronic record of the U.S. Patent and Trademark Office ("Office") for this application. The amendments to claims 10-12 were discussed in the Claim Amendments sections of the Remarks/Arguments of the Amendment of November 3, 2008. Thus, claims 8-12 were identified as pending claims in the November 3, 2008 Appeal Brief and the November 3, 2008 Amendment.

The claim appendix of the Appeal Brief includes all pending claims and reflect the amendments to claims 10-12 of the Amendment. Accordingly, the amendments to claims 10-12 are of record.